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7 UNITED STATES DISTRICT COURT FOR THE
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,
11 Plaintiff,

12 v.

13 \$11,100 IN UNITED STATES CURRENCY,
14 AND ANY ACCRUED INTEREST,
15 Defendant.
16

CASE NO. CV23-132

**VERIFIED COMPLAINT FOR
FORFEITURE *IN REM***

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18 **I. NATURE OF THE ACTION**

19 1. This is a *civil* in rem action for the forfeiture of \$11,100 in United States
20 currency, and any accrued interest, seized on or about October 9, 2021, at a traffic stop in
21 Snohomish County, Washington (hereafter, the "Defendant Currency").

22 **II. LEGAL BASIS FOR FORFEITURE**

23 2. The Defendant Currency is forfeitable pursuant to 21 U.S.C. § 881(a)(6) for
24 violations of 21 U.S.C. § 841(a)(1) (unlawful distribution of a controlled substance).
25 Specifically, counsel for the United States has a reasonable belief the government will be
26 able to prove based on a preponderance of the evidence that the Defendant Currency
27 represents proceeds from the sale of controlled substances.

VERIFIED COMPLAINT FOR FORFEITURE *IN REM* - 1
United States v. \$11,100 in U.S. Currency, and Any Accrued Interest

UNITED STATES ATTORNEY
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SEATTLE, WASHINGTON 98101
(206) 553-7970

III. JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1345 (United States is plaintiff) and 1355(a) (action for forfeiture).

4. Venue is proper in this Court pursuant to 28 U.S.C. § 1355(b)(1)(A) (acts giving rise to the forfeiture occurred in this district) and 28 U.S.C. § 1395(b) (the Defendant Currency was seized in this district).

5. United States Probation and Pretrial Services ("USPPS") seized the Defendant Currency during a probation search of Zachery Alexander Farnam, who was on supervised release. After taking custody of the Defendant Currency, USPPS transferred custody to the Federal Bureau of Investigation ("FBI"), where it remains.

6. As provided in Supplemental Rule G(3)(b)(i), the Clerk of Court is required to issue a warrant to arrest the Defendant Currency if it is in the government's possession, custody, or control. As such, the Court will have *in rem* jurisdiction over the Defendant Currency when the accompanying Warrant of Arrest *in Rem* is issued, executed, and returned to the Court.

IV. FACTUAL BASIS FOR FORFEITURE

7. On October 9, 2021, Snohomish County Sheriff's Office arrested Zachery Farnam pursuant to a federal arrest warrant.

8. At the time of his arrest, Farnam was on federal probation. The conditions of his supervised release included a search condition.

9. Pursuant to that condition, USPPS lawfully conducted a probation search of the car Farnam had been driving. In the trunk, USPPS located a backpack containing the following items, among others:

- a. \$11,100 in United States currency (the Defendant Currency);
- b. \$1,800 in counterfeit United States currency;
- c. a baggie containing dozens of blue pills (weighed at approximately 2.7 oz) that contained fentanyl;

- d. a baggie containing approximately 4.6 oz of methamphetamine powder;
- e. six separate containers of marijuana;
- f. a digital scale;
- g. an asp baton;
- h. a container of bear spray; and
- i. a number of documents bearing Farnam's name

10. On June 2, 2022, the United States charged Farnam by Information with two counts of Possession of a Controlled Substance with Intent to Distribute, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(i), b(1)(B)(vi), b(1)(B)(viii), and (b)(1)(C), filed in the United States District Court for the Western District of Washington. *See U.S. v. Zachery Alexander Farnam*, Case No. CR22-081-RAJ, Dkt. No. 1.

11. On June 15, 2022, Farnam entered into a Plea Agreement in which he pleaded guilty to both counts alleged in the Information. *See* CR22-081-RAJ, Dkt. No. 10.

12. In the Plea Agreement, Farnam admitted that the Defendant Currency constitutes proceeds from the distribution of controlled substances. *See id.*

V. REQUEST FOR RELIEF

As required by Supplemental Rule G(2)(f), the facts set forth in this Verified Complaint support a reasonable belief that the United States will be able to meet its burden of proof at trial. More specifically, these facts support a reasonable belief that the United States will be able to prove by a preponderance of the evidence that the Defendant Currency represents proceeds from the sale of controlled substances, in violation of 21 U.S.C. § 841(a)(1), which renders it forfeitable pursuant to 21 U.S.C. § 881(a)(6).

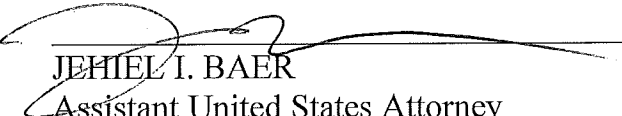
WHEREFORE, the United States respectfully requests:

1. A warrant issue for the arrest of the Defendant Currency;

2. That due notice be given to all interested parties to appear and show cause why the Defendant Currency should not be forfeited;
3. The Defendant Currency be forfeited to the United States for disposition according to law; and
4. For such other and further relief as this Court may deem just and proper.

DATED this 26th day of January, 2023.

Respectfully submitted,
NICHOLAS W. BROWN
United States Attorney



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VERIFICATION

I, Christine Hughey, am a Special Agent with the Federal Bureau of Investigation in Seattle, Washington. I furnished the investigative facts contained in the foregoing Verified Complaint for Forfeiture *in Rem*. The investigative facts are based on personal knowledge I obtained from my involvement in the underlying investigation, my review of the relevant investigative material, other law enforcement officers involved in the investigation, other reliable official government sources, and my own training and experience.

I hereby verify and declare, under penalty of perjury pursuant to 28 U.S.C. § 1746, that I have read the foregoing Verified Complaint for Forfeiture *in Rem*, that I know its contents, and that the facts it contains are true and correct to the best of my knowledge.

Executed this 10th day of January, 2023.


CHRISTINE HUGHEY
Special Agent, Federal Bureau of Investigation